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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,058	12/03/2003	Tonni Sandager Larsen	40000-0050	1351
20480 7590 06/21/2007 STEVEN L. NICHOLS RADER, FISHMAN & GRAVER PLLC 10653 S. RIVER FRONT PARKWAY SUITE 150 SOUTH JORDAN, UT 84095			EXAMINER CHU, DAVID H	
			ART UNIT 2628	PAPER NUMBER
			MAIL DATE 06/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/728,058	LARSEN ET AL.	
	Examiner	Art Unit	
	David H. Chu	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Acknowledgment is made of the amendment filed by the applicant on 5/21/2007.

- No amendments were made to the claims

2. Claims 1-49 are currently pending in U.S. Application Serial No. 10/728058 and an Office Action on the merits follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 1, 3-13 and 15-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Background section of Lee et al. (PGPUB Document No. US 2004/0131261) in view of Wilkins (PGPUB Document No. US 2004/0027593).

6. Note with respect to claim 1,

Lee et al. teaches:

A method of transitioning between two high resolution images in a slideshow, said method comprising:

- Displaying a first image as part of said slideshow
- Continuing said slideshow by fading out said display of first image to reveal a display of a second image

[Lee et al. teaches a slideshow and transition effects]

[Lee et al., 0010]

7. However Lee et al. does not expressly teach:

- Replacing said display of said first image with a display of a lower resolution copy of said first image
- Continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image

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8. Wilkins teaches:

- The result of applying imaging operations to a lower resolution image is visually close to the result of applying the imaging operation to a higher resolution image

[Wilkins 0057-0058]

- The imaging operations comprise of a rotation operation

[Wilkins 0057-0058]

9. Lee et al. teaches:

- Slideshow effects comprising rotating and fading

[Lee et al., 0010]

10. It is well known in the art to combine more than one effect to a transition of a slideshow such as rotating and fading an image.

11. Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to combine the rotating and fading transition effect of Lee et al., because ***this enables added customization to the visuals of the slideshow.***

12. Further, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the applying imaging operations (image rotation) to a lower resolution image teachings of Wilkins to the rotating and

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fading transitioning slideshow of Lee et al., ***because this allows significant performance improvement.*** (Wilkins, Abstract)

13. Note with respect to claim 3,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 1, further comprising:

- Pointing a video overlay at said first image to display said first image prior to said replacing of said first image

*[The processing unit 110 of Lee et al. is clearly capable of directing at an address in memory 120 to display an image. Therefore, the processing unit 110 is the equivalent to the **video overlay**, as recited by the applicant. The start of the slideshow, inherently displays the first image prior to carrying out any transition effects]*

[Lee et al., 0031]

14. Note with respect to claims 4 and 9,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 1 further comprising:

- Storing said first and second image in a first and second video buffer respectively

[The memory 110 of Lee et al. clearly comprise of a plurality of addresses, within which the first and second images can respectively be stored. The different

*addresses storing the first and second images is the equivalent to the **first and second video buffer** respectively, as recited by the applicant]*

15. Note with respect to claim 5,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 3, further comprising:

- Making said lower resolution copy of said first image and storing said lower resolution copy of said first image in a graphic buffer

[As discussed above Wilkins teaches applying imaging operation to a lower resolution image. Displaying the lower resolution image for a slideshow inherently stores the image in the memory of Lee et al.]

16. Note with respect to claim 6,

The combined teachings of Lee et al. and Wilkins teaches:

- Pointing a graphic overlay at said lower resolution copy of said first image and enabling said graphic overlay

[As discussed above, the combined teachings of Lee et al. and Wilkins teaches first displaying the high resolution (original image resolution) and then transitioning the first image to a second image by applying a transition effect to a lower resolution copy of the first image. Displaying the lower resolution copy of the first image at the beginning of the transition inherently requires the processing unit 110 of Lee et al. to point at the address within the memory 120 that stores the lower resolution copy.]

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*Therefore, the processing unit 110 is the equivalent to the **video overlay** pointing at the address within the memory 110 to display the **graphic overlay** (lower resolution copy of first image). as recited by the applicant]*

17. Note with respect to claim 7,

The combined teachings of Lee et al. and Wilkins does not expressly teach:

The method of claim 6, further comprising:

- Completely covering a display of said first image with said graphic overlay of said lower resolution copy of said first image

18. However, it is well known in the art to apply a transition effect the entire image on which the effect is being applied. This enables a more visually pleasing and smooth transition effect to the user viewing the slideshow.

19. Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to completely cover said first image with said graphic overlay of said lower resolution copy of first image; because ***not being able to completely cover the higher resolution image will be less visually pleasing and smooth during the transition.***

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20. Note with respect to claim 8,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 6, further comprising:

- Pointing said video overlay at said second image before fading out said lower resolution copy of said first image to reveal said second image

*[As discussed above, it is inherent that the processing unit 110 of Lee et al. controls the displaying of images in a slideshow. Therefore, the processing unit 110 (**video overlay**) is responsible for displaying the second image as part of the transition effect]*

21. Note with respect to claims 10 and 12,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 1,

- Wherein said first image is a still image

*[Lee et al. teaches **still images**]*

[Lee et al., 0010]

22. Note with respect to claims 11 and 13,

The combined teachings of Lee et al. and Wilkins teaches:

The method of claim 1,

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- Wherein said first image is a frame of a video clip

[Lee et al., 0013]

23. Note with respect to claim 15, claim 15 is similar in scope to the claims 4, 5, 9 and 1, thus the rejections to claims 4, 5, 9 and 1 hereinabove are also applicable to claim 15.

24. Note with respect to claims 24, 33, 44 and 49, claims 24, 33, 44 and 49 are similar in scope to the claim 1, thus the rejections to claim 1 hereinabove are also applicable to claim 24, 33, 44 and 49.

25. Note with respect to claims 34-39 and 45-48, it is well known in the art to apply said device for reading said data storage medium to the different devices as recited by applicant.

26. Therefore, it would have been obvious to one of an ordinary skill in the art to utilize the different devices recited by applicant, because they are merely different devices capable of carrying out the same function.

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27. Note with respect to claims 16, 25 and 40, claims 16, 25 and 40 are similar in scope to the claim 3, thus the rejections to claim 3 hereinabove are also applicable to claim 16, 25 and 40.

28. Note with respect to claims 17, 26 and 41, claims 17, 26 and 41 are similar in scope to the claim 5, thus the rejections to claim 5 hereinabove are also applicable to claim 17, 26 and 41.

29. Note with respect to claims 18, 27 and 42, claims 18, 27 and 42 are similar in scope to the claims 6 and 7, thus the rejections to claims 6 and 7 hereinabove are also applicable to claim 18, 27 and 42.

30. Note with respect to claims 19, 28 and 43, claims 19, 28 and 43 are similar in scope to the claim 8, thus the rejections to claim 8 hereinabove are also applicable to claim 19, 28 and 43.

31. Note with respect to claims 20, 22, 29 and 31, claims 20, 22, 29 and 31 are similar in scope to the claims 10 and 12, thus the rejections to claims 10 and 12 hereinabove are also applicable to claims 20, 22, 29 and 31.

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32. Note with respect to claims 21, 23, 30 and 32, claims 21, 23, 30 and 32 are similar in scope to the claims 11 and 13, thus the rejections to claims 11 and 13 hereinabove are also applicable to claim 21, 23, 30 and 32.

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33. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Wilkins as applied to claims 1, 3-13 and 15-49 above, and further in view of Collins et al. (U.S. Patent No. 7113183).

34. Note with respect to claim 2,

The combined teachings of Lee et al. and Wilkins does not expressly teach:

The method of claim 1, further comprising:

- Disabling a graphic overlay and displaying said first image prior to replacing said first image

35. Collins et al. teaches:

The method of claim 1, further comprising:

- Disabling a graphic overlay and displaying said first image prior to replacing said first image

[Clearing the frame buffer before rendering a frame image, as taught by Collins et al.,

*is the equivalent to **disabling a graphic overlay and displaying said first image**]*

(col. 5, line 27-33)

36. Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the method of disabling a graphic overlay and displaying said first image to the combined slideshow teachings of Lee et al. and Wilkins, because **this allow the prevention of displaying unwanted images.**

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37. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. in view of Wilkins as applied to claims 1, 3-13 and 15-49 above, and further in view of Slobodin et al. (PGPUB Document No. US 2003/0072429)

38. Note with respect to claim 14,

The combined teachings of Lee et al. and Wilkins does not expressly teach:

The method of claim 1, further comprising:

- Centering and resizing said first and second image to fit respective buffers prior to said replacing said first image

39. However, Slobodin et al. teaches:

The combined teachings of Lee et al. and Wilkins does not expressly teach:

The method of claim 1, further comprising:

- Centering and resizing said first and second image to fit respective buffers prior to said replacing said first image

[Slobodin et al. teaches a subsystem adapted to receive image data and to resize the image data to fit the pixel resolution before display of the image via the local display device]

(Slobodin et al., claim 20)

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Therefore, at the time of the invention, it would have been obvious to one of an ordinary skill in the art to apply the image adjusting to fit the display teachings of Slobodin et al. to the combined slideshow teachings of Lee et al. and Wilkins, because this allows the images of the slideshow to be seamlessly shown to the user.

Response to Arguments

40. Applicant's arguments filed 5/21/2007, with respect to the rejection(s) of claim(s) 1 under 35 USC 102(b) have been fully considered and are **persuasive**. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lee et al. in view of Wilkins.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Chu whose telephone number is (571) 272-8079. The examiner can normally be reached on M-TH 9:00am - 7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark k. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHC



MARK ZIMMERMAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600